

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BILLY D. FOWLER,

Petitioner,

v.

MAGGIE MILLER-STOUT,

Respondent.

Case No. C07-5356RJB-KLS

ORDER REGARDING
RESPONDENT'S MOTION FOR
AN EXTENSION OF TIME AND
RE-NOTING REPLY AND
CONSIDERATION DATES

This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Magistrates Rules MJR 3 and 4, and Rule 72 of the Federal Rules of Civil Procedure. The case is before the Court on respondent's filing of a motion for an extension of time to file the trial transcripts (Dkt. #33) in response to the Court's order to do so (Dkt. #32). After reviewing respondent's motion and the balance of the record, the Court finds and orders as follows:

On February 21, 2008, the Court ordered respondent to provide a copy of the transcripts from petitioner's trial, as it deemed them necessary to the full and fair resolution of this matter. On March 18, 2008, respondent filed her motion for an extension of time to comply with the Court's order, which was noted for consideration on April 4, 2008, stating that more time was needed to do so as the court file had not yet been received from the state court. On March 25, 2008, however, the Court received respondent's supplemental submission of state court records, which appears to contain the requested transcripts.

As petitioner has not objected to respondent's late filing of those transcripts, and the Court finds

1 such late filing to be not unreasonable, respondent's motion for an extension of time (Dkt. #33) hereby is
2 GRANTED, and the supplemental record submission hereby is ACCEPTED. Accordingly, the Clerk is
3 directed to re-note the petition for consideration on **April 25, 2008**. Although he did not do so prior to
4 the supplementation of the record in this matter, petitioner may file a reply to respondent's answer by **no**
5 **later than April 18, 2008**.

6 The Clerk also is directed to send a copy of this Order to petitioner and counsel for respondent.

7 DATED this 4th day of April, 2008.

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11 Karen L. Strombom
12 United States Magistrate Judge
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